



California Environmental Quality Act (CEQA) Compliance	
1. Is Contract considered a "Project" under CEQA?	<input checked="" type="checkbox"/> Yes: skip to question 2 <input type="checkbox"/> No: complete the following (PRC 21065 and 14 CCR 15378): Explain why contract is not considered a "Project": Contract will not cause direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment because _____
2. If contract is considered a "Project" under CEQA:	<input checked="" type="checkbox"/> a) Contract IS exempt. (Draft NOE required) <input type="checkbox"/> Statutory Exemption. List PRC and/or CCR section number: _____ <input checked="" type="checkbox"/> Categorical Exemption. List CCR section number: 15301 _____ <input type="checkbox"/> Common Sense Exemption. 14 CCR 15061 (b) (3) Explain reason why contract is exempt under the above section: _____
<input type="checkbox"/> b) Contract IS NOT exempt. The Contract Manager needs to consult with the Energy Commission attorney assigned to their division and the Siting Office regarding a possible Initial Study.	

CONTRACT REQUEST FORM (CRF)

CEC-94 (Revised 5/11)

CALIFORNIA ENERGY COMMISSION



Budgets Information								
Contract Amount Funded		Breakdown by FY			Funding Sources			
Funding Source	Amount	FY	Amount	Approved ?	Funding Source	FY	Budget List No.	Amount
ARFVTF	\$3,000,000	2009-10	\$3,000,000	Yes	Funding Source	2009-10	601.118B	\$3,000,000
ECAA	\$		\$	No	Funding Source			\$
State- ERPA	\$		\$	No	Funding Source			\$
Federal	\$		\$	No	Funding Source			\$
PIER - E	\$		\$	No	Funding Source			\$
PIER - NG	\$		\$	No	Funding Source			\$
Reimbursement	\$		\$	No	Funding Source			\$
RRTF	\$		\$	No	Funding Source			\$
Other:	\$		\$	No	Other:			\$
TOTAL: \$3,000,000		TOTAL: \$3,000,000			TOTAL: \$3,000,000			
Reimbursement					Federal Agreement #:			

Contractor's Administrator/ Officer		Contractor's Project Manager	
Name:	Jaimie Levin	Name:	Joe Callaway
Address:	1600 Franklin Street	Address:	1600 Franklin Street
City, State, Zip:	Oakland, CA 94612	City, State, Zip:	Oakland, CA 94612
Phone/ Fax:	(510) 891-7244/(510) 851-0625	Phone/ Fax:	(510) 891-7220/(510) 421-9303
E-Mail:	jlevin@actransit.org	E-Mail:	jcallaway@actransit.org

Contractor Is
<input type="checkbox"/> Private Company (including non-profits)
<input type="checkbox"/> CA State Agency (including UC and CSU)
<input checked="" type="checkbox"/> Government Entity (i.e. city, county, federal government, air/water/school district, joint power authorities, university from another state)

Selection Process Used
<input type="checkbox"/> Solicitation Select Type Solicitation #: _____ # of Bids: _____ Low Bid? <input type="checkbox"/> No <input type="checkbox"/> Yes
<input type="checkbox"/> Non Competitive Bid (Attach CEC 96)
<input checked="" type="checkbox"/> Exempt Other Governmental Entity

Civil Service Considerations
<input type="checkbox"/> Not Applicable (Contract is with a CA State Entity or a membership/co-sponsorship)
<input type="checkbox"/> Public Resources Code 25620, et seq., authorizes the Commission to contract for the subject work. (PIER)
<input checked="" type="checkbox"/> The Services Contracted: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> are not available within civil service <input type="checkbox"/> cannot be performed satisfactorily by civil service employees <input checked="" type="checkbox"/> are of such a highly specialized or technical nature that the expert knowledge, expertise, and ability are not available through the civil service system.
<input type="checkbox"/> The Services are of such an: <ul style="list-style-type: none"> <input type="checkbox"/> urgent <input type="checkbox"/> temporary, or <input type="checkbox"/> occasional nature that the delay to implement under civil service would frustrate their very purpose.
Justification: The engineering design of a hydrogen fueling system, and its subsequent construction, are highly-specialized skills not available within civil service.

Payment Method
<input checked="" type="checkbox"/> A. Reimbursement in arrears based on: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Itemized Monthly <input type="checkbox"/> Itemized Quarterly <input type="checkbox"/> Flat Rate <input type="checkbox"/> One-time
<input type="checkbox"/> B. Advanced Payment
<input type="checkbox"/> C. Other, explain:

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**Retention**

1. Is contract subject to retention? ☐ No ☒ Yes
 If Yes, Do you plan to release retention prior to contract termination? ☒ No ☐ Yes

Justification of Rates

The lump sum of \$3,000,000 is aligned with the AB 118 Investment Plan funding allocation for hydrogen, as approved by the Transportation Committee in December 2009. Labor rates are commensurate with industry standards for program and project management. Most of the budget was determined through a competitive bidding process by the prime contractor for the equipment.

Disabled Veteran Business Enterprise Program (DVBE)

1. ☒ Not Applicable
 2. ☐ Meets DVBE Requirements DVBE Amount:\$ _____ DVBE %: _____
☐ Contractor is Certified DVBE
☐ Contractor is Subcontracting with a DVBE: _____
 3. ☐ Contractor selected through CMAS or MSA with no DVBE participation.
 4. ☐ Requesting DVBE Exemption (attach CEC 95)

Is Contractor a certified Small Business (SB), Micro Business (MB) or DVBE?

- ☒ No ☐ Yes
 If yes, check appropriate box: ☐ SB ☐ MB ☐ DVBE

Is Contractor subcontracting any services?

- ☐ No ☒ Yes
 If yes, give company name and identify if they are a Small Business (SB), Micro Business (MB) and/or DVBE:
 Linde ☒ No ☐ SB ☐ MB ☐ DVBE
☐ No ☐ SB ☐ MB ☐ DVBE
☐ No ☐ SB ☐ MB ☐ DVBE

Miscellaneous Contract Information

1. Will there be Work Authorizations? ☒ No ☐ Yes
 2. Is the Contractor providing confidential information? ☒ No ☐ Yes
 3. Is the contractor going to purchase equipment? ☐ No ☒ Yes
 4. Check frequency of progress reports
☒ Monthly ☐ Quarterly ☐ Other...
 5. Will a final report be required? ☐ No ☒ Yes
 6. Is the contract, with amendments, longer than a year? If yes, why? ☐ No ☒ Yes
 Detailed design; prep of solicitations; negotiation; and construction requires >1 year to complete

The following items should be attached to this CRF

- | | | |
|---|---|--|
| 1. Scope of Work, Attach as Exhibit A. | <input type="checkbox"/> N/A | <input checked="" type="checkbox"/> Attached |
| 2. Budget Detail, Attach as Exhibit B. | <input type="checkbox"/> N/A | <input checked="" type="checkbox"/> Attached |
| 3. CEC 96, NCB Request | <input checked="" type="checkbox"/> N/A | <input type="checkbox"/> Attached |
| 4. CEC 30, Survey of Prior Work | <input type="checkbox"/> N/A | <input checked="" type="checkbox"/> Attached |
| 5. CEC 95, DVBE Exemption Request | <input checked="" type="checkbox"/> N/A | <input type="checkbox"/> Attached |
| 6. Draft CEQA Notice of Exemption (NOE) | <input type="checkbox"/> N/A | <input checked="" type="checkbox"/> Attached |
| 7. Resumes | <input checked="" type="checkbox"/> N/A | <input type="checkbox"/> Attached |
| 8. CEC 105, Questionnaire for Identifying Conflicts | | <input checked="" type="checkbox"/> Attached |
| 9. CEC 106, IT Component Reporting Form | | <input checked="" type="checkbox"/> Attached |

Contract Manager _____ Date _____ Office Manager _____ Date _____ Deputy Director _____ Date _____

The following signatures are only required when contract approval is delegated to the Executive Office and not approved at a Business Meeting.
 See Business Meeting Information Section.

Presiding Policy Committee _____ Date _____ Associate Policy Committee _____ Date _____ Executive Director _____ Date _____